

Application No. 10/720,928
Amendment dated February 6, 2006
Reply to Office Action of January 11, 2006

Docket No.: 013436.0287PTUS
(Bushnell 25-26)

REMARKS

In an Office Action mailed 11 January 2006, the Examiner rejected claims 1 - 8 under 35 USC 102(e) as being anticipated by Mayne et al. (US Patent Application Publication No. US 2004/0025047), and the Examiner noted with respect to independent claim 1:

Regarding claim 1, Mayne discloses an interoperability system (fig. 1 and its description) connected to an enterprise communication network (LAN 10) and a public communication network (PSTN 43 or Internet 14 (fig 8) or WAN [0101] or phone network 44 [0119]) for providing communication services to users' wireless station sets (fig. 1, 3-8) which are located in the coverage area of a one of said enterprise communication network and said public communication network (fig. 1 and its description), comprising:

presence server means (WIS 1 and its description) for storing user data representative a service status of a user wireless station set ([0072]-[0075]), comprising:

location means for identifying a last determined location of said plurality of users ([0072]-[0075], [0121] and [0054]); and

query means (PBX 40 and its description, also see [0110]) for exchanging said user data with at least one of said enterprise communication network and said public communication network (fig. 7 and its description).

Applicants have reviewed the cited Mayne reference and the Examiner's stated grounds for rejection, and have amended claims 1, 3 - 5, 7, and 8, and presents the following arguments in support of patentability of Applicants' claimed invention, as amended above.

The interoperability system functions to extend the wireless Private Branch Exchange services provided in the enterprise communication network to the cellular communication network based on the presence and supervision data provided by the interoperability system. The provision of ubiquitous service to the user, regardless of their location, provides a significant advantage over existing Private Branch Exchange and cellular communication network services. In addition, the user is equipped with only one wireless station set, which can operate as a cordless Private Branch Exchange extension in the office or as a standard wireless station set outside of the office. Applicants' interoperability system exchanges user presence data with at least one of the enterprise communication network and the public communication network to extend the wireless services provided in the enterprise communication network to the public communication network based on the collected presence data. By provisioning the Private Branch Exchange with this wireless station set mobility, this allows the user to roam within the wireless coverage area of one of the two networks or to roam between the two networks. This capability also provides telephone coverage

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personnel with information about the status of a user's wireless station set before they attempt to forward a call or simply call the user's wireless station set.

In order to interpret Applicants' claims, it is important to understand the meaning of the term "enterprise communication network" as defined in Applicants' specification on page 1, lines 10 - 14:

Enterprise communication networks consist of proprietary voice and data networks used to serve a predetermined set of users who are typically employed by a single entity. A Private Branch Exchange is typically used to provide voice-based services to these users and associated Wire-line or Wireless Local Area Networks are used for data connectivity.

In contrast with Applicants' interoperability system, the Mayne patent discloses a system that wirelessly connects communication devices to a local building network via a number of wireless network nodes (LAN Access Devices). The wireless network nodes are connected to a wireless Internet network server that provides access to the Internet as well as other devices served by the local building network.

The Mayne patent is focused on a self-contained network (enterprise communication network) that comprises a wireless portion comprising wireless devices 3-8, the LADs 2, a wired portion comprising LAN 10, PBX 40, devices 11-13, 41-42, and a WIS 1 which interconnects the wireless and wired portions. The WIS 1 also serves to interconnect the enterprise communication network with the public communication network (Internet 14). The WIS 1 is capable of managing the communications among the wireless and wired devices that are served by the wireless portion (LADs 2) and the wired portion (LAN10), as noted in Mayne:

[0054] The WIS 1 is a focal point for Bluetooth communication and provides a central point for managing and controlling Bluetooth mobile devices. The WIS 1, leveraging it's knowledge of Bluetooth connectivity, can be used to update these mobile devices, provide status on their whereabouts, provide backups, etc.

[0059] FIG. 6 shows an example in which a connection to a PBX 40 is implemented, the WIS 1 will have the ability to associate communications devices 3, 4, 5, 6, 7, 8 such as Bluetooth phones and handsets as extensions of the PBX.

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With regard to voice communication, the WIS 1 can route a call to the user's phone within the scope of coverage of the enterprise communication network that comprises a wireless portion comprising wireless devices 3-8, the LADs 2, a wired portion comprising LAN 10, PBX 40, devices 11-13, 41-42, and a WIS 1 which interconnects the wireless and wired portions:

[0110] The WIS is also adapted to handle voice communication. This can be activated either by using voice over IP and transferring the call via the Internet, or by using the PBX interface. The PBX adapter allows connection to an existing PBX so that when an incoming call can be transferred to an extension which rings the Bluetooth phone via the Bluetooth connection. The Bluetooth phone becomes a portable extension of the desk phone. If the Bluetooth phone is incorporated in a mobile phone, these phones are referred to as 3-in-1 phone, the three modes being: GSM calls outside of the office environment, cordless calls and intercom calls directly between Bluetooth phones when inside the office.

However, the Mayne patent fails to show or suggest the provision of: "presence server means for storing user presence data ... comprising: location means for identifying a last determined location of said user wireless station set in said enterprise communication network and said public communication network" or "information sharing means for exchanging said user presence data with said enterprise communication network and said public communication network to extend the wireless services provided in the enterprise communication network to the public communication network based on said presence data", since there is no communication with the public communication network with respect to the location of the user's telephone set in the system of the Mayne patent.

Thus, the cited Mayne patent fails to satisfy the requirements of a valid 35 USC §102(e) rejection of Applicants' claim 1, since the Mayne patent does not show or suggest structure recited in Applicants' independent claim 1. Applicants believe that independent claim 5 is also allowable for the reasons noted with respect to claim 1. Furthermore, Applicants believe that claims 2 - 4 and 6 - 8 are allowable since these claims depend upon allowable base claims.

In view of the above amendments and remarks, Applicants believes the pending application is in condition for allowance. Applicants believe no fee is due with this response.

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However, if a fee is due, please charge our Deposit Account No. 50-1848, under Order No.
013436.0287C1US from which the undersigned is authorized to draw.

Respectfully submitted,
PATTON BOGGS LLP

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